

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: **Paint Rock Angus Ranch, Inc.
103 Currant Creek Ln
Lavina, MT 59046**
2. Type of action: **Application to Change a Water Right No. 30051288 40A**
3. Water source name: **Ground Water**
4. Location affected by project: **E2 of Sec 9, Twp 8N, Rge 20E, Golden Valley County**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Applicant seeks to change Ground Water Certificate No. 40A 51394-00. The purpose of the certificate is to water stock, with a priority date of January 14, 1983. The period of use is January 1 to December 31. The point of diversion is a developed spring in the NESWNW Section 34 T9N R20E and the place of use is a stock tank located in the SWNE Section 9 T8N R20E. This project is located about 15 miles northeast of Shawmut, all in Golden Valley County, Montana.

This project will add a stock tank to the existing system. The new tank will be located in the SWSE Section 9 T8N R20E, approximately $\frac{3}{4}$ of a mile south of the current stock tank on the water right. The Applicant proposes to extend the existing 1.25-inch pipeline with a 1.5-inch pipeline from the present stock tank to the new tank. The Applicant says the number of animal units, and therefore amount of historic use, will remain the same. They say the project will allow them to use pasture ground more efficiently and promote conservation of their grass.

The DNRC shall issue an authorization to change to the applicant if the criteria in §85-2-402, MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Dept. of Environmental Quality Website - TMDL 303d listing
MT. National Heritage Program Website - Species of Concern
USDI Fish & Wildlife Service Website - Endangered and Threatened Species in MT
USDA Natural Resources Conservation Service – Web Soil Survey
USDI Fish & Wildlife Service – Wetlands Online Mapper

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: **Low likelihood of impact.**

The source of supply for this application is groundwater; therefore, it has not been identified as a chronically or periodically dewatered stream by DFWP. There is a low likelihood that this project will have a significant impact on water quantity; demands on the hydrologic system are not expected to change.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: **Low likelihood of impact.**

This change is to add a stock tank to an existing groundwater certificate. As such, the source has not been listed as a water quality impaired or threatened stream by DEQ. There is a low likelihood that the new tank will have a significant impact on water quality, it will be located at the end of the pipeline away from the source.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: **Low likelihood of impact.**

This project is not anticipated to use any more groundwater than has been used historically. The flow rate for the certificate to be changed will remain at 8 gpm and will service the same number of animal units, 300.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: **Low likelihood of impact.**

The Applicant is adding a third stock tank to an existing system. The source of water is a developed spring that conveys approximately 13 GPM of water in a 1.25-inch pipeline from the spring to a neighbors stock tank and then 8 GPM is carried on to the Applicants existing stock tank. A 1.5-inch pipeline will connect the Applicants exiting stock tank to

the proposed stock tank to the south. The stock tanks will have a float valve system installed and water diversion will stop when the tanks are full.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

Determination: **Low likelihood of impact.**

The Montana National Heritage Program Website lists four species as a Species of Concern within Township 8 North Range 20 East. The common name for these species are the Black-tailed Prairie Dog, Greater Sage-Grouse, Loggerhead Shrike and the Brewer’s Sparrow. The website also lists two Potential Species of Concern, the Brassy Minnow and the Burbot. The USDI Fish & Wildlife Service shows Golden Valley County has three candidate species proposed for listing; the Greater Sage-Grouse, Sprague’s Pipit and the Wolverine. They list one species as endangered; the Black-footed Ferret. No impacts to any of these species are expected as the place of use has been previously grazed and is consistent with other livestock operations in the area.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: **Low likelihood of impact.**

No functional wetlands have been identified in the project area proposed for disturbance.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: **Low likelihood of impact.**

There are no ponds involved with the proposed project.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: **Low likelihood of impact.**

Because this project is simply to add a stock water tank to an existing system, there is a low likelihood of adverse impact to soil quality, stability, or moisture content.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: **Low likelihood of impact.**

Normal weed management can be used to control noxious weeds potentially invading disturbed areas due to construction activities; therefore, no spread of noxious weeds should be associated with this application. It is the responsibility of the property owner to control noxious weeds on their property.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: **No impact.**

The project will not result in the deterioration of air quality.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: **N/A – project not located on State or Federal Lands.**

The project area is not on state or federal lands and has been previously used for livestock operations. A cultural resource inventory is unwarranted at this time.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: **Low likelihood of impact.**

No additional impacts are anticipated at this time.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: **Low likelihood of impact.**

The proposed action is consistent with livestock practices in the area.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: **Low likelihood of impact.**

No adverse impact to recreational or wilderness activities is expected because of this project.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: **Low likelihood of impact.**

The proposed action does not create any negative impacts to human health.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No X___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: **Low likelihood of impact.**

No government regulatory impacts are known at this time.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? **None.**
- (b) Local and state tax base and tax revenues? **None.**
- (c) Existing land uses? **None.**
- (d) Quantity and distribution of employment? **None.**
- (e) Distribution and density of population and housing? **None.**
- (f) Demands for government services? **None.**
- (g) Industrial and commercial activity? **None.**
- (h) Utilities? **None.**
- (i) Transportation? **None.**
- (j) Safety? **None.**

(k) Other appropriate social and economic circumstances? **None.**

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: **No adverse secondary impacts have been identified.**

Cumulative Impacts: **No adverse cumulative impacts have been identified.**

3. ***Describe any mitigation/stipulation measures:***

No mitigation or stipulation measures have been identified or required.

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

No action alternative: Deny the application. This alternative would result in none of the benefits of quality water being available for turf irrigation on Helena Capital High or Northwest Park.

PART III. Conclusion

1. ***Preferred Alternative:***

The preferred alternative is the proposed alternative.

2. ***Comments and Responses:***

There have not been any comments and/or responses at this time.

3. ***Finding:***

Yes___ No_X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

Name of person(s) responsible for preparation of EA:

Name: Douglas Mann

Title: Water Resources Specialist - LRO

Date: 1/10/2012